

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL GREGORY,

Plaintiff,

- against -

ACADEMY COLLECTION SERVICE, INC.,
Defendant.
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MEMORANDUM
AND ORDER

09-CV-2157 (ILG) (JO)

JAMES ORENSTEIN, Magistrate Judge:

Attorney David Israel ("Israel") is an attorney admitted to practice in the state of Louisiana. He is not admitted to practice before this court. Israel has applied to be admitted *pro hac vice* on behalf of the defendant in the instant case pursuant to Local Civil Rule 1.3(c).

Docket Entry 7. For the reasons set forth below, I deny the motion without prejudice to renewal upon a showing that such admission is appropriate under the circumstances.

Israel practices law in Louisiana where he is a member of the firm Sessions, Fishman, Nathan & Israel, L.L.P. Israel has been admitted *pro hac vice* in at least eighteen cases in this district since September 2004.¹ It appears that Israel regularly engages in the practice of law in

¹ See *Spatafora v. NCO Group, Inc.*, docket no. 04-CV-1011 (TCP), order dated Sept. 16, 2004; *Arleo v. NCO Fin. Sys., Inc.*, docket no. 04-CV-4871 (ADS), order dated Dec. 16, 2004; *Lesane v. NCO Fin. Sys., Inc.*, docket no. 05-CV-1907 (NGG), order dated May 25, 2005; *Kupferstein v. NCO Fin. Sys., Inc.*, docket no. 05-CV-2263 (FB), order dated May 21, 2005; *Spira v. NCO Fin. Sys., Inc.*, docket no. 06-CV-0444 (NG), order dated Apr. 5, 2006; *Stone v. NCO Fin. Sys., Inc.*, docket no. 06-CV-0545 (CBA), order dated Mar. 13, 2006; *Freeley v. NCO Fin. Sys., Inc.*, docket no. 06-CV-0602 (SJF), order dated Apr. 26, 2006; *Kupfer v. NCO Fin. Sys., Inc.*, docket no. 06-CV-3308 (CPS), order dated Aug. 3, 2006; *Sanon v. Dep't of Higher Educ.*, docket no. 06-CV-4928 (SLT), order dated May 7, 2008; *Schonfeld v. NCO Fin. Sys., Inc.*, docket no. 06-CV-5529 (NGG), order dated Dec. 1, 2006; *Russell v. Assetcare, Inc.*, docket no. 07-CV-0290 (ADS), order dated Mar. 30, 2007; *Corner v. NCO Fin. Sys., Inc.*, docket no. 07-CV-0892 (DLI), order dated Mar. 30, 2007; *Sembler v. Advanta Bank Corp.*, docket no. 07-CV-2493 (RJD), order dated Oct. 25, 2007; *Lerner v. Eltman, Eltman & Cooper, P.C.*, docket no. 07-CV-2704 (CPS), order dated Sept. 14, 2007; *Spira v. Asset Acceptance, LLC*, docket no. 07-CV-4634 (SMG), order dated Aug. 27, 2008; *Sebrow v. NCO Fin. Sys., Inc.*, docket no. 08-CV-1725 (ARR), order

this district.² Yet by routinely gaining admission *pro hac vice* rather than taking the steps necessary to join the bar of this court, Israel remains immune to much of the disciplinary oversight to which his colleagues are subjected. *See* Loc. Civ. R. 1.5(b)-(c).

This court routinely grants attorneys who practice elsewhere the courtesy of representing clients who find themselves involved in litigation in this court. But "[a]dmission *pro hac vice* is by definition, at most, admission for a single proceeding." *In re Rappaport*, 558 F.2d 87, 88 n.1 (2d Cir. 1977). It is a privilege rather than a right, *see Leis v. Flynt*, 439 U.S. 438, 441-42 (1979), and one that should not be abused. If Israel intends to continue representing clients in this court, he can and should secure the admission to our bar. If, on the other hand, Israel can demonstrate that his many applications for admission *pro hac vice* represent an aberration in his normal practice, and that he does not anticipate making future similar applications on a routine basis, then I will of course grant him the same courtesy that is routinely afforded to out-of-state counsel in their occasional visits to this district.

SO ORDERED.

Dated: Brooklyn, New York
July 2, 2009

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge

dated July 10, 2008; *Benvenuto v. Eltman, Eltman & Cooper, P.C.*, docket no. 08-CV-2608 (JG), order dated Sept. 8, 2008; *Rappel v. Collectcorp Corp.*, 08-CV-4271 (ADS), order dated Feb. 4, 2009.

² Israel has also appeared *pro hac vice* in several cases in the Southern District of New York. *See, e.g., Kesselman v. Jean-Pierre*, docket no. 08-CV-7417 (BSJ), order dated May 11, 2009; *Fasgan v. NCO Fin. Sys., Inc.*, docket no. 08-CV-6208 (SCR), order dated Dec. 8, 2008.